

110TH CONGRESS
2D SESSION

S. 3583

To limit or deny civil service protection for a Federal employee if the appointment of that employee is a prohibited personnel practice that was made on the basis of political affiliation as prohibited under any law, rule, or regulation.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25 (legislative day, SEPTEMBER 17), 2008

Mr. WHITEHOUSE introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To limit or deny civil service protection for a Federal employee if the appointment of that employee is a prohibited personnel practice that was made on the basis of political affiliation as prohibited under any law, rule, or regulation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Political Independence
5 of the Civil Service Act of 2008”.

1 **SEC. 2. POLITICAL INDEPENDENCE OF THE CIVIL SERVICE.**

2 (a) IN GENERAL.—Chapter 75 of title 5, United
3 States Code, is amended by adding at the end the fol-
4 lowing:

5 “SUBCHAPTER VI—CIVIL SERVICE PROTECTION
6 FOR EMPLOYEE APPOINTED ON PROHIB-
7 ITED BASIS OF POLITICAL AFFILIATION

8 **“§ 7551. Civil service protection for employee ap-
9 pointed on prohibited basis of political
10 affiliation**

11 “(a) In this section—

12 “(1) the term ‘agency’ has the meaning given
13 under section 2302(a)(2)(C);

14 “(2) the term ‘covered employee’ means an em-
15 ployee whose appointment to an agency is a prohib-
16 ited appointment; and

17 “(3) the term ‘prohibited appointment’ means
18 any appointment of an employee to an agency which
19 is a prohibited personnel practice that violates sec-
20 tion 2302 (b)(1)(E) because such appointment was
21 made on the basis of political affiliation as prohib-
22 ited under any law, rule, or regulation.

23 “(b) The protections under subchapters I through V
24 of this chapter shall not apply to a covered employee.”.

25 (b) TECHNICAL AND CONFORMING AMENDMENT.—
26 The table of sections for chapter 75 of title 5, United

1 States Code, is amended by adding at the end the fol-
 2 lowing:

“SUBCHAPTER VI—CIVIL SERVICE PROTECTION FOR EMPLOYEE APPOINTED
 ON PROHIBITED BASIS OF POLITICAL AFFILIATION

“Sec. 7551. Civil service protection for employee appointed on prohibited basis
 of political affiliation.”.

3 **SEC. 3. EFFECTIVE DATE.**

4 The amendments made by this Act shall take effect
 5 on the date of enactment of this Act and apply to any
 6 appointment made before, on, or after that date.

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